

The Westfield town Council met in Special Session Thursday, July 14, 2005 at Oak Trace Elementary School. Members present were Jack Hart, Teresa Otis Skelton, David Mikesell, Robert Smith, and Ron Thomas. Also present were Deputy Clerk-Treasurer Bev Rawlings, Town Manager Jerry Rosenberger and Town Attorney Brian Zaiger. The meeting was called to order at 7:00 pm.

New Business

Ordinance 05-21: Food and Beverage Sales Tax

First Reading- July 11, 2005 this is the Second Reading

Jerry Rosenberger summarized the Food and Beverage Tax stating that since Hamilton County passed the 1% Food and Beverage Tax it allowed Westfield to also initiate an additional 1% tax on restaurants in the Town of Westfield. The tax would then be split between Hamilton County and Marion County to help fund the new Colts Stadium. The Additional 1% passed by a Municipality is kept within that community to be used for what ever purpose they choose. It could create an extra \$100,000 to \$180,000 for the general fund.

Resident Darrell Bowden asked to speak in opposition of the tax. He also felt that the citizens were unaware and had no prior knowledge of the tax.

John Livengood president of the Indiana Restaurant & Hospitality Association also spoke opposed to the tax. He ;stated that this was a tax on all prepared food such as that in grocery delis as well as restaurants.

Mike Kole of Fishers spoke for the Restaurant Managers & Employees. He stated that he was concerned that they had not been consulted prior to the tax being proposed as to how it would impact them, their profits, and their employees and the cost that they had to pass along to their customers.

Ron Thomas addressed each of the speakers. He stated that he was against this tax because he felt that there was no purpose for it.

Jack Hart commented that it had been an educational process and there had been a lot of good facts presented during the evening.

Bob Smith stated that with the COIT short fall that the state had put on the towns, that sometimes there are options like this tax that would make it easier to cover the needs of the community. He felt the money could help lower property taxes.

Dave Mikesell stated that he was for the tax. He stated that this was a way to raise money for the budget by putting the burden on people going out to eat and people coming through town.

Teresa Otis also talked about the struggle with the COIT short fall. She indicated that she wanted to see the same opportunities as Noblesville and Carmel with their passing of the additional 1% tax. .

There were some additional questions from the audience and Jerry Rosenberger explained the COIT short fall and the budget process. He explained that because of the short fall the budget for 2006 would be short \$160,000.

Dave Mikesell made a motion to approve Ordinance 05-21 as presented. Jack Hart seconded. Vote: Yes-3; No-2. (Otis-Thomas) Motion carried.

Freedom Trail Park

Teresa Otis introduced this item for a brief discussion.

Jerry Rosenberger explained that the Council recently entered into an agreement with the Board of Westfield Schools to maintain a park behind Washington Woods Elementary. The School Board asked if the Council would support naming the park Freedom Trail Park.

Teresa then asked the Council for a Consensus on the name all were agreeable.

Ordinance 05-09 Southwest Washington Township Annexation

Ordinance Introduction and first reading April 11, 2005

Fiscal Plan Passage April 11, 2005

Public Hearing

Jerry Rosenberger gave a brief presentation regarding the annexation. Jerry assured the residents that they were not changing the agricultural zoning in the annexation area. There was a discussion about how the tax abatement process worked as well as improvements and services that would be provided by the town.

Teresa Otis opened the meeting for a public hearing at 8:26.

Gene Pudliner spoke about the traffic flow problems through Village Farms.

Bill Koss wanted to speak regarding the agricultural issue.

John Dippel brought forth a letter to the Town Council (see Exhibit A). He was concerned about the residents right to vote and run for office in 2006.

Robert O'Brien also wanted to reaffirm his position on the agricultural issue.

Susan Destry spoke regarding services the town will offer the annexed residents.

Jim Ake also was concerned about being able to vote in 2006.

Jim Bond spoke about an unkempt vacant home next door he couldn't do anything about. He questioned if the town would be more prompt in their actions to clean up the property in question. Jerry assured him that the zoning ordinances were enforced.

There was also discussion on redistricting to include the annexed area.

Teresa Otis closed the public hearing at 9:30.

Council Members Comments:

Ron Thomas spoke about the Comprehensive Plan being developed currently and he was asking for more input from the residents through e-mails and attendance in the meetings.

With no further comments, Jack Hart made a motion to adjourn the meeting. Ron Thomas seconded. Meeting was adjourned at 9:27

Deputy Clerk-Treasurer

Council President